

Remarks

This is in response to the Final Rejection Office Action mailed May 26, 2010, and the Notice of Panel Decision from Pre-Appeal Brief Review mailed September 15, 2010. Independent claims 14 and 27 are amended to place pending claims 14-18 and 20-31 in better form for consideration on appeal.

I. Claim Rejections – 35 U.S.C. § 103(a)

At page 2 of the Final Action dated May 26, 2010, claims 14-18 and 20-31 are rejected under § 103(a) as being obvious given U.S. Pat. Pub. No. 2004/0012280 to Frey et al. (hereinafter “Frey”) in view of U.S. Pat. No. 3,842,877 to Andrews. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

A. Claims 14-18 and 20-26

Independent claim 14 as amended recites, in part, “a plurality of individual crosspieces, each crosspiece extending to a cutting edge only in a direction perpendicular to the longitudinal axis of the base”. (underlining added)

The purported combination of Frey and Andrews fails to disclose or suggest crosspieces configured as required in the recited limitation of claim 14.

The Action concedes that Frey fails to provide “a plurality of individual crosspieces, each crosspiece extending to a cutting edge in a direction perpendicular to the longitudinal axis of the base” as required in claim 14. Andrews is cited as providing the disclosure lacking in Frey. Specifically, the Action refers to Figure 2 of Andrews and states, “Although the cross-pieces 14 in Andrews are of screw type, this feature does not preclude the cross-pieces 14 from meeting the claim limitation. Namely, the cross-pieces indeed extend to a cutting edge (see at least cutting edge at 14 lying on the perpendicular axis P in Fig. Z below) in a direction perpendicular to the longitudinal axis of the base.” Action, p. 3; pp. 8-9.

The Action acknowledges that the threaded sectors 14 of Andrews are screw type (i.e., helical). Since the threaded sectors 14 are angled (i.e., helical) with respect to the purported “longitudinal axis of the base”, Andrews necessarily teaches away from the limitation “a plurality of individual crosspieces, each crosspiece extending to a cutting edge only in a direction perpendicular to the longitudinal axis of the base” as recited in claim 14 (underlining added).

In view of the foregoing, reconsideration and allowance of claim 14, as well as all claims that depend therefrom, are requested.

B. Claims 27-31

Independent claim 27 as amended recites, in part, "radial crosspieces each having a cutting edge extending only in a direction perpendicular to a longitudinal axis of the supporting member". (underlining added) As shown above, the purported combination of Frey and Andrews at least fails to disclose or suggest such subject matter. Reconsideration and allowance of claim 27, as well as all claims that depend therefrom, are therefore requested.

II. Entry of Amendment

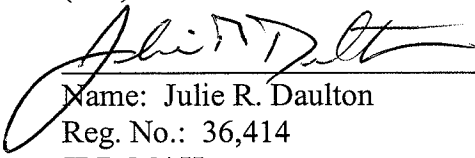
Applicants respectfully request entry of the amendments to claims 14 and 27 as the subject amendment places the pending claims in better form for consideration on appeal.

III. Conclusion

The remarks set forth above provide certain arguments in support of the patentability of the pending claims. There may be other reasons that the pending claims are patentably distinct over the cited references, and the right to raise any such other reasons or arguments in the future is expressly reserved. Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. Please contact the undersigned attorney with any questions regarding this application. Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 13-2725.

Respectfully submitted,
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